

## CHAPTER 13

### SECTION 6

## TMA APPEALS

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### 1.0. RESPONSIBILITIES AND PROCEDURES

#### 1.1. Assistance To Beneficiaries

The contractor and the NQMC shall provide beneficiaries, or other qualified persons requiring assistance, with information needed for proper filing of a request for formal review or hearing. Such assistance *shall* include advising of requirements for timely filing, the amounts in dispute required for filing the request, the specific matter in dispute, copies of the written determination notice(s) which is (are) being appealed, and any additional documents and/or information which may have a bearing on the matter in dispute.

#### 1.2. Assistance To TMA

**1.2.1.** When TMA receives a request for a formal review or hearing, the contractor and the NQMC will be requested to furnish the complete file(s) covering the claim(s) and reconsideration(s) in dispute. (See [Chapter 13, Section 3, paragraph 4.5.](#) for requirements.) The TMA Appeals and Hearings Division will request the entire appeal file by telephone or facsimile transmission (fax). The contractor will also provide copies of nonproprietary information extracted from its agreements with network providers involved in the formal review or hearing case if requested to do so by the TMA Appeals and Hearings Division. The contractor shall copy the entire file (making one-sided copies only) and mail it by express mail to the TMA Appeals and Hearings Division, as soon as possible.

**1.2.2.** In no case shall the mailing of the file occur later than five workdays after receipt of the telephone call or fax request. In addition, upon request, the contractor shall assist TMA in developing additional information as may be necessary to fully develop facts in the case. To facilitate communications between TMA, the NQMC, and the contractor, the names of specific persons in the centralized appeal unit who are responsible for coordination of appeal functions shall be furnished to the TMA Appeals and Hearings Division and the NQMC by the contractor. Names and phone numbers shall be updated as necessary and notice provided.

#### 1.3. Assistance To Incoming Contractor, NQMC, And TMA During Transition

In the event of a transition, the outgoing contractor or the NQMC shall make available, upon request, individual cases completed during the transition period and not yet transferred to the incoming contractor or NQMC. In no case shall mailing the appeal file to the incoming contractor, the NQMC or TMA occur later than five workdays after receipt of a telephonic, written or fax request from TMA or the incoming contractor during a transition period.

## **2.0. QUESTIONS REGARDING APPEALS**

Written inquiries received by a contractor or the NQMC regarding an appeal which is at the TMA level shall be forwarded to TMA Appeals and Hearings Division, 16401 E. Centretch Parkway, Aurora, Colorado 80011-9066, for response. The contractor or the NQMC shall inform the appealing party or representative that the case has been forwarded to TMA for review and shall advise the appealing party to address his or her questions to the Appeals and Hearings Division, TMA, 16401 E. Centretch Parkway, Aurora, Colorado 80011-9066.

## **3.0. CONTRACTOR DETERMINATIONS REVERSED BY THE APPEAL PROCESS**

The contractor shall reprocess all determinations reversed by a formal review determination or hearing final decision in accordance with the standards set forth in [Chapter 1, Section 3](#). For the purposes of [Chapter 1, Section 3](#), the date of receipt is considered the date the formal review determination or hearing final decision is received by the contractor.